

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES ex rel. RON CLARK,

Plaintiff,

v.

Case No. 03-C-0494

INPRO CORPORATION and
IPC DOOR & WALL PROTECTION SYSTEMS,

Defendants.

ORDER REFERRING CASE BACK TO DISTRICT JUDGE

On November 1, 2006, United States District Judge Charles N. Clevert, Jr. referred the above-captioned action to this court for mediation. Thereafter, a mediation was scheduled to be conducted on December 13, 2006. However, due to a conflict on the court's calendar the mediation was rescheduled to be conducted on January 17, 2007.

In accordance with this court's December 8, 2006 order, which among other things rescheduled the mediation, the parties submitted their mediation statements, as well as their *ex parte* letters setting forth their respective maximum/minimum requirements for settlement. In turn, I reviewed those submissions.

On January 16, 2006, I spoke telephonically with counsel for the plaintiff and counsel for the defendants. During the course of that discussion it became apparent that mediation of this matter had no chance of success. Indeed, both counsel agreed that it would be nothing but a waste of time and money for the mediation to go forward as scheduled. Consequently, this action is referred back to Judge Clevert for further processing and eventual trial. Furthermore, the mediation session which

was scheduled for January 17, 2007, is hereby cancelled.

In the future, should the parties wish to engage this court's assistance in conducting a mediation session, they should advise Judge Clevert who then, if he deems it appropriate, will transfer the matter to this court for mediation.

SO ORDERED this 16th day of January 2007, at Milwaukee, Wisconsin.

/s/ William E. Callahan, Jr.
WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge